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Michael Proksch

(503) 264-1729

JF3-147

Sr. Patent Counsel

Intel Corp.

Application No.: 09/741,208 Filed: December 19, 2000

Art Unit: 2876 Examiner: D. Hess

Attorney Docket No.

42390.P10397

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### Included in this transmission:

- Facsimilar Cover Sheet
- Transmittal Form (1 page) 1)
- 2) Fee Transmittal FY 2004 (1 page in duplicate)
- 3) Petition to Revive an Unintentionally Abandoned App. under 37 CFR 1.137(b) (2 pgs)
- 4) Request for RCE Transmittal (1 page)
- Preliminary Amendment (15 pages)

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Under the Paperwork Reduction Act of 1985, no persons		Application Number	on of information unless it displays a valid OMB control number. 09,741,208						
TRANSMITTAL		Filing Date							
FORM		First Named Inventor	December 19,2000						
(to be used for all correspondence after initial film	era)	Art Unit	David P. Henzerling 2878						
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<u> </u>		Altomey Docket Number	O. Hess						
Total Number of Pages in This Submission 2	2.2-	Attorney booket Number	P10397						
ENCLOSURES (Check all that apply)									
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		APPLICANT, ATTORNE	Y, OR AGENT						
or : Sr. Patent Counsel	43,021								
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I hereby certify that this correspondence is being sufficient postage as first class mail in an envelop the date shown below.	j facsim pe addr	le transmitted to the USPTO or o essed to: Commissioner for Pate	deposited with the United States Postal Service with ints, P.O. Box 1450, Alexandria, VA 22313-1450 on						
Typed or printed name Michael A, Proksch	, /	7_ 4	·						
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This collection of information is required by 3/f CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burdon, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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March 3, 2004

Signature

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U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE der the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMB control number. FEE TRANSMITTAL Complete if Known 09/741,208 Application Number Filling Date December 19, 2000 for FY 2004 First Named Inventor David P. Henzerling Effective 10/01/2003. Patent fees are subject to annual revision. Examiner Name D. Hess Applicant claims small entity status. See 37 CFR 1.27 Art Unit 2876 TOTAL AMOUNT OF PAYMENT (\$) 2,276Attorney Docket No. P10397 METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Check Credit card Money Order Other 3. ADDITIONAL FEES None Large Entity Small Entity Deposit Account: Fee (\$) Fee Code Fee Description Deposit Code 50-0221 <u>Fee Pald</u> Account Number 130 1051 2051 65 Surcharge - late filing fee or oath Deposit 1052 Intel Corporation 50 2052 25 Surcharge - late provisional filing (ee or Account Name cover sheet The Director is authorized to: (check all that apply) 1053 130 1053 130 Non-English specification Charge fee(s) indicated below 1812 2.520 1812 2,520 For filing a request for ex parte reexamination Credit any overpayments 920 1804 920" Requesting publication of SIR prior to Charge any additional fee(s) or any underpayment of fee(s) 1804 Charge fee(s) indicated below, except for the filling fee 1805 1,8401 1805 1,840 Requesting publication of SIR after Examiner action to the above-identified deposit account, 1251 110 2251 Extension for raply within first month FEE CALCULATION 420 2252 210 Extension for reply within second month 1252 1. BASIC FILING FEE arge Entity Şmail Entity 1253 950 2253 475 Extension for reply within third month Fee Fee Codo (\$) Fee Description Fee Paid 1254 1.490 2254 740 Extension for reply within fourth month 1001 770 2001 385 Utility filing fee 1255 2,010 2255 1.005 Extension for reply within fifth month 1002 340 2002 170 Dasign filing fee 1401 330 2401 165 Notice of Appeal 1003 530 2003 265 Plant filing fee 1402 330 165 Filing a brief in support of an appeal 2402 1004 770 2004 365 Reissue fillog fea 1403 290 145 Request for oral hearing 2403 1005 160 2005 80 Provisional filling fee 1451 1.510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable **SUBTOTAL (1) (\$) 0** 1453 1,330 \$1,330 2453 665 Petition to revive - unIntentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1.330 2501 665 Utility Issue fee (or reissue) below 1502 480 2502 240 Выдл івзие тес x 18 Total Claims -20\*\* = 90 1503 640 2503 320 Plant Issue fee Independent x 86 86 1460 130 1460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) <u>Large Entity (</u> Small Entity 180 1806 1806 180 Submission of Information Disclosure Strat Fee Fee Fee Code (\$) Fee Description Code (S) 40 Recording each patent essignment per 8021 40 8021 properly (times number of properties) 1202 18 2202 Claims in excess of 20 385 Filing a submission after final rejection (37 CFR 1.128(a)) 1809 770 2809 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent dalm, if not paid 385 For each additional invention to be examined (37 CFR 1.129(b)) 1810 770 2810 1204 88 2204 Relssue independent claims 385 Request for Continued Examination (RCE) 1801 770 2801 \$770 1205 18 2205 Request for expedited examination of a design application \*\* Roissue claims in excess of 20 1802 900 1802 and over original patent (\$) 176 Other fee (specify) SUBTOTAL (2) Reduced by Basic Filing Fee Paid "or number previously paid, if greater; For Reissues, see above SUBTOTAL (3) SUBMITTED BY (Complete (If applicable)) Name (Print/Type) Michael A. Proksch Registration No. Telephone 503,264,3059

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FEE TRANSMITTA	Complete if Known							
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Effective 10/01/2003. Patent fees are subject to ennual revision		First Named Inventor		David P. Henzerling				
	•	Examiner Name D. I			D. Hess	ess		
Applicant claims small entity status. See 37 CFR 1.27		Art Unit 2876			2876			
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SUBMITTED BY						(Complete	(if applicable))	
Name (PrintType) Michael A. Proksch		Registra Allomey/		43,0	021	Telephone	503.264.3059	
Signature With Proks	بالر		.0300			Date	March 3, 2004	,
orginatura VV WV4 FOOKS						Date	majuri 3, 2004	<u>'</u>

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# PATENT APPLICATION 042390.P10397

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	April 3, 2003	RECEIVED
<b>-</b>	)		CENTRAL FAX CENTER
David P. Henzerling	)		MAR 0 3 2004
•	)		WAR U 3 2004
Serial No.: 09/741,208	)	Group Art Unit: 2876	
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Filed: December 19, 2000	)	Examiner: D. Hess	OFFICIAL
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For: WIRELESS MUSIC DEVICE AND	)		
METHOD THEREFOR			
Mail Stop: RCE			·
Assistant Commissioner for Patents			
PO Box 1450			
Alexandria VA 22313-1450			

## PRELIMINARY AMENDMENT

# Dear Sir:

Prior to examination of the above-referenced continuation application, Applicant respectfully requests consideration of the following amendments and remarks, which Applicant verily believes to be fully responsive to the Office Action mailed October 3, 2002. Upon entry of this response, Applicant respectfully requests reconsideration of the above-captioned application.